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ORDINANCE NO. 49-037

AN ORDINANCE AMENDING SECTION 16.04.040 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO PERMIT FEES FOR CONSTRUCTION, MAINTENANCE AND CLEANING OF SEWERS, AND REPEALING THE ORIGINAL OF SECTION 16.04.040 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 16.04.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Sec. 16.04.040. Permit Fees.

Before a permit is issued as provided for in Section 16.04.020, the following permit fees shall be paid:

1. (a) for connecting to the city sewer \$60.00;
- (b) for repair or extension permit \$60.00;
- (c) for seal off permit \$60.00;
- (d) for tap fee (Section 16.04.110) \$70.00;
- (e) permit(s) shall be obtained as provided within Section 16.04.020 of this Code, and failure or unreasonable delay in obtaining such permit(s) shall mandate a double permit fee;
- (f) reinspection fee - failure to comply with job readiness requirements \$30.00.

2. In addition to the above fees, there shall be added the following amounts for the following purposes:

- (a) In Absence of Assessment for Lateral Sewer. When no assessment has been made for the lateral sewer against any property or premises to be connected to the city sewer, an amount as determined to be appropriate by the Director of the Public Works and Utilities Department.
- (b) In Absence of Assessment of Lateral Sewer and Main Sewer. If the cost of neither lateral sewer nor main sewer has been assessed against the property to be connected, an amount as determined to be appropriate by the Director of the Public Works and Utilities Department.

In determining the appropriateness of amounts to be assessed as set out in subsections (a) and (b) of this subsection (2), the Director of the Public Works and Utilities Department shall utilize recent historical cost of constructing lateral and main sanitary sewers of similar or representative type to the system serving the building site to be connected to the sewerage system calculated on a square foot or frontage foot basis.

If, in the opinion of the Director of the Public Works and Utilities Department, the use of the connecting property applying for connection under the terms of subsections (a) or (b) of this subsection (2) constitutes an extraordinary use of the sewerage system and/or shall potentially place extraordinary demand on the sewerage system, a charge commensurate with such use shall be determined by the Director of the Public Works and Utilities Department and shall be assessed against the connecting property in lieu of the amount set out in subsections (a) and (b) of this subsection (2).

If the cost of sewer lateral and/or main sewer has been financed by a private entity and if the cost of such main or lateral has been included in the purchase price of the lot and improvements thereon, then the amounts set out in subsections (a) and (b) of this subsection (2) shall not be assessed.

The appropriateness of the application of the ordinance provision codified in this section shall be discretionary and shall be based on the interpretation of written policy guidelines by the Director of the Public Works and Utilities Department and the Director of Planning and/or other parties as designated by the City Manager.

(Ord. No. 43-769 § 1)

SECTION 2. The original of Section 16.04.040 of the Code of the City of Wichita, Kansas is hereby repealed.

SECTION 3. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 19th day of July, 2011.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf
Director of Law